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IN THE UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
EUGENE DIVISION

**OREGON BANKERS ASSOCIATION,
LEWIS & CLARK BANK, BANK OF
EASTERN OREGON AND PEOPLE'S
BANK OF COMMERCE,**

PLAINTIFFS,

v.

**STATE OF OREGON, ELLEN
ROSENBLUM, in her official capacity as the
Attorney General of the State of Oregon, and
ANDREW STOLFI, in his official capacity as
the Director of the Oregon Department of
Consumer and Business Services,**

DEFENDANTS.

Case No. 6:20-cv-01375-AA

**PLAINTIFFS' NOTICE OF
SUPPLEMENTAL AUTHORITY**

Plaintiffs submit this supplemental authority in support of their opposition to Defendants' Motion to Dismiss. Attached as Exhibit 1 is a true and correct copy of House Bill 2009, signed by Governor Kate Brown on June 1, 2021. HB 2009 imposes similar restrictions to those challenged in this lawsuit for the duration of a new emergency period running from December

31, 2020 until at least June 30, 2021, which the governor may extend until December 31, 2021.

In footnote 4 of Defendants’ Supplemental Brief, Defendants argued for the first time that “because HB 4204 expired December 31, 2020, this case may be moot in its entirety.” ECF No. 19 at 5 n.4. As Plaintiffs explained at oral argument, the expiration of HB 4204’s emergency period on December 31, 2020 does not moot the ongoing harm caused by that statute. The enactment of HB 2009 further undermines Defendants’ arguments and demonstrates that, in any event, Plaintiffs’ claim would still be justiciable as being capable of repetition and evading review.

DATED this 3rd day of June, 2021.

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